

**ASSEMBLY BILL**

**No. 41**

**Introduced by Assembly Member Daucher**

December 2, 2002

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An act to add Section 9400.5 to the Welfare and Institutions Code, relating to aging, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 41, as introduced, Daucher. Area agencies on aging: funding.

Existing law designates area agencies on aging as local units on aging in California, which are financially supported by a variety of sources, including federal funding, state and local government assistance, the private sector, and individual contributions.

This bill would continuously appropriate from the Federal Trust Fund to the Department of Aging, in the absence of enactment of the annual Budget Act by July 1 of a fiscal year, the amount of federal funds contained in the Federal Trust Fund that is necessary for the administration of programs under the jurisdiction of the area agencies on aging, pending enactment of the Budget Act.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 9400.5 is added to the Welfare and
- 2 Institutions Code, to read:

1 9400.5. (a) Notwithstanding Section 13340 of the  
2 Government Code, in any fiscal year in which the Budget Act is  
3 not enacted by July 1 of that fiscal year, there is hereby  
4 continuously appropriated from the Federal Trust Fund to the  
5 department the amount of federal funds contained in the Federal  
6 Trust Fund that is necessary to pay area agencies on aging for the  
7 administration of programs under their jurisdiction. The  
8 Department of Finance may, upon enactment of the Budget Act  
9 and in the absence of this action being taken by the Legislature or  
10 the Governor in that Budget Act, reduce the applicable Budget Act  
11 allocations by the amount of any payments pursuant to this  
12 subdivision.

13 (b) If payments are made to area agencies on aging pursuant to  
14 this section, the first payment shall be made on July 15, with  
15 payments to be made on the 15th of each month thereafter, until  
16 enactment of the annual Budget Act.

17 SEC. 2. This act is an urgency statute necessary for the  
18 immediate preservation of the public peace, health, or safety  
19 within the meaning of Article IV of the Constitution and shall go  
20 into immediate effect. The facts constituting the necessity are:

21 In order to ensure that area agencies on aging will be able to  
22 prevent interruptions in important services provided to elderly  
23 persons if the Budget Act of 2003 is not enacted in a timely  
24 manner, it is necessary that this act take effect immediately.

